

APPEAL NO. 042182
FILED OCTOBER 6, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on July 20, 2004. The hearing officer determined that the compensable injury of _____, does not extend to include lumbar disc protrusions at L2-3 and L5-S1 or trochanteric bursitis of the right hip. The appellant (claimant) appeals this determination on sufficiency of the evidence grounds. Respondent 1 (carrier) urges affirmance. Respondent 2 (subclaimant) did not file a brief on appeal.

DECISION

Affirmed.

The hearing officer did not err in determining that the compensable injury of _____, does not extend to include lumbar disc protrusions at L2-3 and L5-S1 or trochanteric bursitis of the right hip. This determination involved questions of fact for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence (Section 410.165(a)) and, as the trier of fact, resolves the conflicts and inconsistencies in the evidence, including the medical evidence (Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ)). In view of the evidence presented, we cannot conclude that the hearing officer's determination is so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

The decision and order of the hearing officer is affirmed.

The true corporate name of the insurance carrier is **AMERICAN HOME ASSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY
701 BRAZOS, SUITE 1050
AUSTIN, TEXAS 78701.**

Edward Vilano
Appeals Judge

CONCUR:

Chris Cowan
Appeals Judge

Veronica L. Ruberto
Appeals Judge